

PATENT  
Serial No. 10/500,684

Amendment in Reply to Office Action of February 13, 2006

REMARKS

This Amendment is being filed in response to the Office Action dated August 18, 2005. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

In the Office Action, it is requested that confirmation of an election of Claims 1-5 be made. Applicant confirms election without traverse of Claims 1-5. Claims 6-8 are withdrawn herein as drawn to non-elected claims and are indicated as such.

Claim 3 is indicated as allowable if amended to be in independent form. Claim 9 is original claim 3 in independent form. Accordingly, Claim 3 is allowable and an indication to that effect is respectfully requested. It is respectfully submitted that Claim 9 is entitled to a full range of equivalents under the doctrine of equivalents. Claims 10-14 depend from Claim 9 and are allowable at least for this dependence as well as the separately patentable elements contained therein. Accordingly, separate consideration and allowance of each of claims 10-14 is respectfully requested.

Claims 1, 2, 4, and 5 are rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,882,109 to Nakano ("Nakano").

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Nakano shows an electric discharge lamp having an electrode core 21 and an electricity introducing member 24 as asserted in the Office Action. However, as is clear from Nakano, the two are "butt-welded at the welding section 25 ..." (For example, see, FIG. 5 and the accompanying description contained in Col. 9, lines 23-27.) In fact, each of the embodiments discussed in Nakano have this same butt-end weld 25 (e.g., see, FIGs. 6, 8-17; Col. 9, lines 53-56; Col. 15, lines 11-14; Col. 17, lines 46-50; Col. 18, lines 57-61 etc.).

In fact Nakano is just the type of configuration discussed in the present application, for example on page 2, lines 1-4, which as discussed thereafter has a number of drawbacks.

The lamp of Claim 1 is not anticipated or made obvious by the teachings of Nakano. For example, Nakano does disclose or suggest, a lamp that amongst other patentable elements, comprises (illustrative emphasis provided) "wherein the electrode pin comprises a solidified tungsten melt at its first end in the vicinity of the interface between electrode pin and cermet rod without contacting the cermet rod" as required by Claim 1.

Based on the foregoing, the Applicant respectfully submits that independent Claim 1 is patentable over Nakano and notice to

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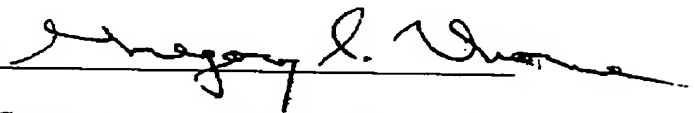
this effect is earnestly solicited. Claims 2-5 respectively depends from Claim 1 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of said claims. Accordingly, separate consideration and allowance of claims 2-5 is respectfully requested.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

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Applicant has made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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